

Newstead Town Board Meeting- September 11, 2006

A Public Hearing was called to order by the Newstead Town Board on Monday, September 11, 2006 at 7:50PM at the Newstead Town Hall.

Present: David Cummings- Supervisor
Tom George- Councilman
Harold Finger- Councilman
Mark Decker- Councilman
Brian Murray- Councilman
Michael Bassanello- Highway Supt.
Andrew Casolini- Town Engineer
John Good- Code Enforcement Officer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Town Clerk

The Supervisor called the public hearing to order on a Special Use Permit for 11720 Main Road. He stated that the County and State have replied and the fire companies and planning board comments have also been received.

The Clerk read the proof of publication.

Comments: No one spoke

There being no further comments, Councilman George made a motion to close the public hearing at 7:56 PM on a Special Use Permit for 11720 Main Road. Seconded by Councilman Finger.
Carried Unanimously

A regular meeting of the Newstead Town Board was called to order at 8:00pm with all members present as above.

Roll Call was taken with all board members present.

Town Clerk Dawn Izydorczak led the pledge to the flag.

Minutes from the previous regular board meeting held on August 28, 2006 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman George to accept as presented.
Carried Unanimously

Communications – The Town Clerk presented the following:

An authorization letter from Wendel Duchscherer for payment of multiple site plan reviews totaling \$900.00.

A notice from the NYS DOT advising the town the speed study on Davison Road has been completed and a 45 mph speed limit has been instituted. The Highway Supt. has been directed to work with Erie County Highway Department on installation of the requested 4-way Stop sign at Davison and Howe Roads.

A notification from the NYS DEC announcing applications are being accepted for Round 9 of the Water Quality Improvement Project program. Applications must be postmarked by October 20, 2006.

Erie County Department of Environment & Planning has announced its next computer & electronics recycling drop-off event for Saturday, September 30, 2006 from 9:00am – 2:00pm at the Erie Community College South Campus.

The NYS DEC has sent notification to permit holders regarding SPEDES General Permit requirement changes effective July 2006.

A letter from residents W. Barry Jones and Frances P. Romeo to the Supervisor regarding their issues with their denial to be included in the Water District #10-phase 2 project.

A letter from Newstead Democratic Committee Chairman Don Holmes requesting recognition for their 2006 JFK Awardee.

A memo from NYS Office of Real Property Services announcing the updates on state aid and assessment equity throughout Erie County.

A letter from Volgenau & Bosse, LLP informing the Town Board that the Tripi case files has been closed for the Town of Newstead.

The August 2006 report has been received from Amherst Central Alarm Office reporting 51 calls for the Akron Fire Company and 29 calls for the Newstead Fire Company.

A motion was made by Councilman Decker, seconded by Councilman Murray to receive and file correspondence as presented. Carried Unanimously

Work Session: The Supervisor reported that there was no work session held last week due to the holiday. At tonight's work session a meeting was held with our attorneys on the toll barrier issue and various water district issues were discussed after that meeting. Work session will continue after the meeting.

Privilege of the Floor – No one spoke

Approval of Bills -Councilman Decker reported that the Abstract from Batch #537 from the August 28, 2006 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #540. Vouchers on this abstract numbered 884-923, totaling \$76,824.33 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #540:

General Fund (A) -\$28,011.83, Fund (B) \$0, Highway (DA) -\$0, Highway: Outside Village (DB) \$8,412.53, Capital Projects: CAP-WD#10 (HI)- \$171.00, Highway Garage (HG)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$7,154.74, Refuse (SR) \$22,344.39, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$85.00, (SW2) \$306.91, (SW3) \$117.18, (SW4) \$367.18, (SW5) \$2,604.72, (SW6) \$3,878.61, (SW7) \$458.44, (SW7A) \$52.86, (SW8) \$34.47, (SW9) \$106.91, (SW10) \$2,717.56, Trust & Agency(TA)- \$0 Total: \$76,824.33

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Roadside mowing has been completed for the 3rd time this year. The grant for Stage, Havens, and Schurr Rd resurfacing has been wrapped up and we are waiting for the grant money.

Assessor – Not present, she is attending the Planning Board session.

Building Office –the following building report was presented by the Building Administrator Christine Falkowski who is attending the Planning Board session:

Mark Sivecz	12835 Brucker	Roof
Paul Schumacher	7342 Cedar	Concrete pad & hot tub
Adam Maloney	13424 Stage	Shed
Richard Reynolds	7795 Mill	Enclosed porch
Garret Cleversley	4340 S. Newstead	Shed
Len Coffta	12431 Rapids	pool fence
Francis Eldred	13656 Main	Storage barn

Kelly Schultz
Eric Ridge

10522 Stage
11422 Hiller

One family home
Pipe permit

The Town Board accepted the Building Report as presented.

Town Clerk- School tax bills will be mailed this Friday .She also presented the Dog Control Officers report for August 2006.

Attorney for the Town – Nothing at this time

COUNCILPERSONS

George- Nothing at this time

Finger-Nothing at this time

Decker- He announced that the Recreation Board meeting will be Monday, September 18th and the Drainage Board meeting will be Tuesday, September 19th.

Murray-He and Councilman Finger attended the Interfaith Fellowship service and celebration for 225 years of service and the breakfast served at the Akron Masonic Lodge afterwards. He accepted a flag for the Town Hall from the Masons and suggested a letter should be sent to the Masons thanking them by the Supervisor.

SUPERVISOR-Nothing at this time

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B –They are wrapping up the punch list items this week by 2 crews to finish the contract.

Phase 2- They are expecting approximately 10 bidders on the project and opening of those bids will be at the Town Hall Thursday, September 14th at 11:00am. The substantial completion date stays the same with an extension date applied for select roads.

The water station update is pending.

Route 5 Re-Zoning-It is at the Planning Board for review.

Shared Public Works Facility Committee-There is a joint town/village meeting Monday, September 18th with a status presentation scheduled by Wendel. The finalization is tentatively set for within the next couple of weeks. A funding meeting will be held tomorrow morning.

NYS Toll Barrier- We are in the comment period and the board met with counsel tonight for an update on comments.

NEW BUSINESS:

Lead Agency- Local Law No. 3 of 2006:

A motion was made by Councilman George, seconded by Councilman Murray declaring Lead Agency for the proposed Local Law No 3 of 2006 and it was declared an Unlisted Action. A coordinated review for SEQRA is to be completed by the Code Enforcement Officer.

(Resolution Attached) Cummings-Aye, George- Aye, Finger- Aye, Decker-Aye, Murray- Aye
Carried Unanimously

Public Hearing- Local Law No. 3 of 2006:

A motion was made by Councilman George, seconded by Councilman Murray approving the calling of a public hearing for Local Law No. 3 of 2006 on Outdoor Furnaces. The hearing shall be held October 9, 2006 at 7:30pm at the Newstead Town Hall and the notice shall be published in the Akron Bugle and the Pennysaver.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Murray-Aye
Carried Unanimously

Public Hearing- Fire Contracts:

A motion was made by Councilman Murray, seconded by Councilman George approving the calling of a public hearing for public comment on the proposed fire contracts for Akron Fire Company and Newstead Fire Company. The hearing shall be held September 25, 2006 at 7:50pm at the Newstead Town Hall and the notice shall be published in the Akron Bugle.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Murray-Aye
Carried Unanimously

Question Period- Peter Henley of Scotland Rd. questioned if the water district bid opening was open to the public. Yes, it will be at the town hall on Thursday, September 14th at 11am.

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Decker to adjourn the meeting at 8:28 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorcak, Town Clerk